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# HOUSE BILL No. 1194

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** None (noncode).

**Synopsis:** Commission on disproportionality in youth services. Establishes the commission on disproportionality in youth services to address disproportionate representation of youth of color in the use of youth services. Specifies membership, duties, reporting requirements for the commission. Makes an appropriation to cover the expenses of the commission.

**Effective:** July 1, 2007.

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January 11, 2007, read first time and referred to Committee on Rules and Legislative Procedures.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

## HOUSE BILL No. 1194

A BILL FOR AN ACT concerning human services and to make an appropriation.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. [EFFECTIVE JULY 1, 2007] (a) As used in this  
2       SECTION, "commission" refers to the commission on  
3       disproportionality in youth services.

4       (b) As used in this SECTION, "youth services" means the  
5       following:

- 6           (1) Juvenile justice services.
- 7           (2) Child welfare services.
- 8           (3) Education services.
- 9           (4) Mental health services.

10       (c) The commission on disproportionality in youth services is  
11       established to develop and provide an implementation plan to  
12       evaluate and address disproportionate representation of youth of  
13       color in the use of youth services.

14       (d) The commission consists of the following members appointed  
15       not later than August 15, 2007:

- 16           (1) The dean or a faculty member of an Indiana accredited  
17       graduate school of public administration, social work,

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education, mental health, or juvenile justice, who shall serve as chairperson of the commission.

(2) The state superintendent of public instruction, or the superintendent's designee.

(3) The director of the division of mental health and addiction, or the director's designee.

(4) The executive director of the Indiana criminal justice institute, or the executive director's designee.

(5) The director of the department of child services, or the director's designee.

(6) The commissioner of the department of correction, or the commissioner's designee.

(7) A division of child services county director from a densely populated county.

(8) A faculty member of an Indiana accredited college or university that offers undergraduate degrees in public administration, social work, education, mental health, or juvenile justice.

(9) A prosecuting attorney.

(10) A juvenile court judge.

(11) An attorney who specializes in juvenile law.

(12) A representative of the Indiana Minority Health Coalition.

(13) A health care provider who specializes in pediatric or emergency medicine.

(14) A public agency family case manager.

(15) A private agency children's service social worker.

(16) A school counselor or social worker.

(17) A representative of law enforcement.

(18) A guardian ad litem, court appointed special advocate, or other child advocate.

(19) The chairperson of an established advocacy group in Indiana that has previously investigated the issue of disproportionality in use of youth services.

(20) A young adult who has previous involvement with at least one (1) youth service.

(21) A representative of foster parents or adoptive parents.

(22) A representative of a state teacher's association or a public school teacher.

(23) A child psychiatrist or child psychologist.

(24) A representative of a family support group.

(25) A representative of the National Alliance on Mental

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1        **Illness.**

2        **(26) A representative of the commission on the social status of**  
 3        **black males.**

4        **(27) A representative of the Indiana Juvenile Detention**  
 5        **Association.**

6        **(28) A representative of the commission on Hispanic/Latino**  
 7        **affairs.**

8        **(29) A representative of the civil rights commission.**

9        **(30) Two (2) members of the house of representatives**  
 10        **appointed by the speaker of the house of representatives. The**  
 11        **members appointed under this subdivision may not be**  
 12        **members of the same political party and serve as nonvoting**  
 13        **members.**

14        **(31) Two (2) members of the senate appointed by the**  
 15        **president pro tempore of the senate. The members appointed**  
 16        **under this subdivision may not be members of the same**  
 17        **political party and serve as nonvoting members.**

18        **The governor shall appoint the members under subdivisions (1),**  
 19        **(7), (10), (13), (16), (19), (22), (25), (28), and (29). The speaker of**  
 20        **the house of representatives shall appoint the members under**  
 21        **subdivisions (8), (11), (14), (17), (20), (23), (26), and (30). The**  
 22        **president pro tempore of the senate shall appoint the members**  
 23        **under subdivisions (9), (12), (15), (18), (21), (24), (27), and (31).**  
 24        **Vacancies shall be filled by the appointing authority for the**  
 25        **remainder of the unexpired term.**

26        **(e) Each member of the commission shall have an interest in or**  
 27        **influence on evaluating and addressing disproportionate**  
 28        **representation of youth of color in the use of youth services.**

29        **(f) A majority of the voting members of the commission**  
 30        **constitutes a quorum.**

31        **(g) The Indiana accredited graduate school represented by the**  
 32        **chairperson of the commission under subsection (d)(1) shall staff**  
 33        **the commission.**

34        **(h) The commission shall meet at the call of the chairperson and**  
 35        **shall meet as often as necessary to carry out the purposes of this**  
 36        **SECTION.**

37        **(i) Each member of the commission who is not a state employee**  
 38        **is entitled to the minimum salary per diem provided by**  
 39        **IC 4-10-11-2.1(b). The member is also entitled to reimbursement**  
 40        **for traveling expenses as provided under IC 4-13-1-4 and other**  
 41        **expenses actually incurred in connection with the member's duties**  
 42        **as provided in the state policies and procedures established by the**

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1 Indiana department of administration and approved by the budget  
2 agency.

3 (j) Each member of the commission who is a state employee but  
4 who is not a member of the general assembly is entitled to  
5 reimbursement for traveling expenses as provided under  
6 IC 4-13-1-4 and other expenses actually incurred in connection  
7 with the member's duties as provided in the state policies and  
8 procedures established by the Indiana department of  
9 administration and approved by the budget agency.

10 (k) Each member of the commission who is a member of the  
11 general assembly is entitled to receive the same per diem, mileage,  
12 and travel allowances paid to legislative members of interim study  
13 committees established by the legislative council. Per diem,  
14 mileage, and travel allowances paid under this subsection shall be  
15 paid from appropriations made to the legislative council or the  
16 legislative services agency.

17 (l) The commission's responsibilities include the following:

18 (1) Reviewing Indiana's public and private child welfare,  
19 juvenile justice, mental health, and education service delivery  
20 systems to evaluate disproportionality rates in the use of  
21 youth services by youth of color.

22 (2) Reviewing federal, state, and local funds appropriated to  
23 address disproportionality in the use of youth services by  
24 youth of color.

25 (3) Reviewing current best practice standards addressing  
26 disproportionality in the use of youth services by youth of  
27 color.

28 (4) Examining the qualifications and training of youth service  
29 providers and making recommendations for a training  
30 curriculum and other necessary changes.

31 (5) Recommending methods to improve use of available public  
32 and private funds to address disproportionality in the use of  
33 youth services by youth of color.

34 (6) Providing information concerning identified unmet youth  
35 service needs and providing recommendations concerning the  
36 development of resources to meet the identified needs.

37 (7) Suggesting policy, program, and legislative changes  
38 related to youth services to accomplish the following:

39 (A) Enhancement of the quality of youth services.

40 (B) Identification of potential resources to promote change  
41 to enhance youth services.

42 (C) Reduction of the disproportionality in the use of youth

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services by youth of color.

(8) Preparing a report consisting of the commission's findings and recommendations, and the presentation of an implementation plan to address disproportionate representation of youth of color in use of youth services.

(m) In carrying out the commission's responsibilities, the commission shall consider pertinent studies concerning disproportionality in use of youth services by youth of color.

(n) The affirmative votes of a majority of the commission's voting members are required for the commission to take action on any measure, including recommendations included in the report required under subsection (l)(8).

(o) The commission shall submit the report required under subsection (l)(8) to the governor and to the legislative council not later than August 15, 2008. The report to the legislative council must be in an electronic format under IC 5-14-6. The commission shall make the report available to the public upon request not later than December 1, 2008.

(p) There is appropriated from the state general fund one hundred twenty-five thousand (\$125,000) dollars for the period beginning July 1, 2007, and ending December 31, 2008, to carry out the purposes of this SECTION, including the hiring by the chairperson of an individual to serve only to assist the chairperson and members with research, statistical analysis, meeting support, and drafting of the report required under subsection (l)(8).

(q) This SECTION expires January 1, 2009.

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